

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

**TANCI ISSA BALZAN, #42495-177,
also known as Tanci Balzan Issa,
Petitioner,**

v.

**UNITED STATES OF AMERICA,
Respondent.**

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Civil Action No. 3:13-CV-1937-O

**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**


The United States Magistrate Judge made Findings, Conclusions, and a Recommendation in this case (ECF No. 6). No objections were filed. The District Court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the Court **ACCEPTS** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge.

IT IS THEREFORE ORDERED that the petition for writ of habeas corpus is summarily **DISMISSED** with prejudice, and that Plaintiff is **BARRED** from filing habeas corpus actions in this Court without first seeking leave to file.

Because Petitioner filed his petition under 28 U.S.C. § 2241, he is not required to obtain a certificate of appealability in the event of an appeal. *Padilla v. United States*, 416 F.3d 424, 425 (5th Cir. 2005) (*per curiam*). However, the Court **CERTIFIES** that any appeal of this action would not be taken in good faith. *See* 28 U.S.C. § 1915(a)(3). In support of this finding, the Court adopts and incorporates by reference the Magistrate Judge's Findings, Conclusions, and Recommendation. *See Baugh v. Taylor*, 117 F.3d 197, 202 n.21 (5th Cir. 1997). Based on the Findings and Recommendation, the Court finds that any appeal of this action would present no

legal point of arguable merit and would, therefore, be frivolous. *Howard v. King*, 707 F.2d 215, 220 (5th Cir. 1983).

SO ORDERED this **8th day of August, 2013**.



Reed O'Connor
UNITED STATES DISTRICT JUDGE